UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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**ORDER DISMISSING CHAPTER 11 CASE** 

Upon the motion (the "Motion") of the debtor and debtor in possession herein (the "Debtor") for an order under 11 U.S.C. § 1112(b) dismissing this case; and there being due and sufficient notice of the Motion; and the only objection to the Motion having been withdrawn; and upon the record of the hearing held by the Court on the Motion on October 2, 2018 and all of the proceedings herein; and, after due deliberation, the Court having determined that the Debtor has established sufficient cause for the dismissal of this case; and it further appearing that the dismissal of this case, rather than its conversion to a case under chapter 7 of the Bankruptcy Code, is in the interests of creditors; now, therefore, it is hereby

**ORDERED** that the Motion is granted and this chapter 11 case is dismissed; provided, that the Court's order approving the auction sale and distribution of the Debtor's assets shall survive the dismissal of this case; and it is further

**ORDERED**, that the Debtor pay to the United States Trustee the appropriate sum required, if any, pursuant to 28 U.S.C. § 1930, and any applicable interest pursuant to 31 U.S.C. § 3717, within ten (10) days of the entry of this order and simultaneously provide to the United

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States Trustee an appropriate affidavit indicating the cash disbursements, if any, for the relevant period, if not already paid.

Dated: White Plains, New York October 2, 2018

> /s/Robert D. Drain HONORABLE ROBERT D. DRAIN UNITED STATES BANKRUPTCY JUDGE